

EXECUTIVE OFFICER SUMMARY REPORT  
April 9, 2003

ITEM: 9

SUBJECT: Status Report on the progress of the MS4 Permittees in the Aliso Creek Watershed to identify and eliminate sources of elevated levels of bacteria in Aliso Creek as specified by the Regional Board 13225 Directive as modified on May 9, 2001. (Robert Morris)

PURPOSE: The purpose of this item is to provide an update to the Regional Board on activities conducted in response to the 13225 Directive. No Regional Board action is necessary on this item.

PUBLIC NOTICE: The public was notified of this item in the agenda notice for today's meeting, which was mailed on March 21, 2003.

DISCUSSION: On March 2, 2001 the Executive Officer issued a Directive pursuant to CWC Section 13225 for an investigation of urban runoff in the Aliso Creek watershed that the County of Orange and the Cities within the watershed to conduct weekly monitoring at the largest storm drain outfalls that discharge to Aliso Creek. The Regional Board affirmed the issuance of the Directive in May 2001, requiring additional monitoring locations for receiving water locations upstream and downstream of the outfalls.

Enclosed in today's agenda is an internal memo, which provides an assessment of the monitoring and the Copermittees' actions in response to the Directive. The memo suggests that the criteria established by the Regional Board for termination of monitoring is unlikely to be met in the near future except at two locations.

The Regional Board had specified that the monitoring at any location could only be terminated if data at that location demonstrate compliance with body contact recreation standards for three consecutive months. Unfortunately, the monitoring, which has been conducted weekly since April 2001 at 39 storm drain outfalls and adjacent receiving waters, demonstrates that bacteria levels in exceedance of water quality objectives is ubiquitous in the watershed.

Additional regulatory actions have commenced since issuance of the Directive. For instance, the Regional Board issued Order No. R9-2002-01, the third-term municipal storm water permit. Each copermittee has recently submitted an urban runoff management plan in accordance with that Order. These plans are to detail specific management measures, including monitoring, for addressing bacteria in the Aliso Creek watershed. Some principal management measures are discussed in the internal memo.

The monitoring data is being used by the TMDL contractor, Tetra Tech, to develop bacteria TMDLs for impaired water segments in the region, including Aliso Creek. Monitoring data is being used to calibrate models and to assign pollutant load allocations.

The internal memo discusses why changes to the 13225 Directive monitoring program may be warranted to focus monitoring efforts on identifying sources and assessing effectiveness of best management measures. Changes would be based upon the monitoring results, the new regulatory framework established by Order No. R9-2002-01, and the initiation of the TMDL process for addressing bacteria in the watershed.

A member from the Watershed Protection Northern Region Unit will present an oral report at today's meeting. In addition, the Copermittees in the Aliso Creek watershed have been invited to attend today's meeting to discuss their activities in response to the Directive.

LEGAL CONCERNS: None

SUPPORTING  
DOCUMENTS:

1. Internal Memo to John Robertus regarding Aliso Creek Watershed Directive for Bacteria Monitoring
2. March 2, 2001 Directive issued pursuant to California Water Code Section 13225 for an investigation of urban runoff in the Aliso Creek watershed.
3. May 15, 2001 Clarification of Water Code Directive 13225

RECOMMENDATION: This is an informational item only.